

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I declare:

that I verily believe myself to be the original, first and sole (if only one individual inventor is listed below) or an original, first and joint inventor (if more than one individual inventor is listed below) of the invention in

SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

the specification of which is attached hereto unless the following box is checked.

☒ was filed on January 7, 2004 as United States Application or PCT International Application No. 10/752,642, and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Category</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claim</u>
Japan	Patent	2003-001486	January 7, 2003	Yes

And I hereby appoint the registrants of Frommer Lawrence & Haug LLP, 745 Fifth Avenue, New York, NY 10151, Customer No. 20999, or any one of them. Send correspondence to Frommer Lawrence & Haug LLP, 745 Fifth Avenue, New York, NY 10151, Telephone No. (212) 588-0800.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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I declare further that my mailing address is at c/o
Intellectual Property Division, Toshiba Corporation, 1-1, Shibaura
1-chome, Minato-ku, Tokyo 105-8001, Japan; and
that my citizenship and residence are as stated below next to my name:

Inventor: (Signature)DateResidenceDate: MAR. 12. 2004Naofumi NakamuraCitizen of: JapanTokyo, Japan

Naofumi Nakamura

Date: MAR. 12. 2004Hideki ShibataCitizen of: JapanYokohama-shi, Japan

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Date:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: Japan